

2735
HW

PATENT
01985-P0032A WWW/TMO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Bernard A. Weinstein, <i>et al.</i>
Application No. 08/863,037	Filing Date: May 23, 1997
Title of Application:	Market Data Notification System
Confirmation No. 4253	Art Unit: 2735
Examiner	Yves Dalencourt

Mail Stop Petitions
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Response To Rosenblatt Letter On Whitmyer Petition To Withdraw

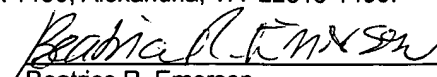
Dear Sir:

The undersigned has recently learned that David M. Rosenblatt, Esq., Registration No. 35,664 had submitted a letter in this case on 8 September 2005. No courtesy copy of the letter was ever sent to the undersigned, but a copy was obtained yesterday after an explicit request to Mr. Rosenblatt.

In his letter, Mr. Rosenblatt states that The Thomson Corporation does not consent to Mr. Whitmyer's withdrawal as its representative in this case. It is precisely this refusal to consent which led to the filing of the Request to Withdraw. Absent consent of The Thomson Corporation, the undersigned has been advised by counsel that his continued employment is likely to result in violation at a Disciplinary Rule making permissive withdrawal appropriate under 37 CFR 10.40 (c)(2).

Mailing Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Commissioner for Patents and Trademarks; Post Office Box 1450; Alexandria, VA 22313-1450.

November 15, 2005

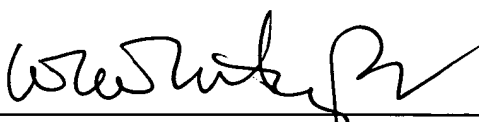

Beatrice R. Emerson

Mr. Rosenblatt also states in his letter that "there are a number of misrepresentations contained in Mr. Whitmyer's written request." While the undersigned claims that he has made no misrepresentation to the U.S. Patent Office or otherwise, Mr. Rosenblatt's statement on its face provides two additional bases for permissive withdrawal of representation in this case. To the extent Mr. Rosenblatt's statement is attributable to Applicant, The Thomson Corporation, the statement constitutes conduct that "renders it unreasonably difficult for the practitioner to carry out the employment effectively" under 37 CFR 10.40(c)(1)(iv). To the extent Mr. Rosenblatt's statement is attributable to co-counsel in this case, it demonstrates an "inability to work with co-counsel" and "indicates that the best interests of the client likely will be served by withdrawal" in accordance with 37 CFR 10.40(c)(3).

The undersigned urgently requests that his Request For Withdrawal From Employment, originally filed 18 August 2005, and removed herein, be granted as soon as possible.

Respectfully submitted,

November 15, 2005



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c: David M. Rosenblatt, Esq.